

UNITED STATES DISTRICT COURT

for the
District of Arizona

10/22/17
United States of America
v.
Eddy Alejandro Serrano-Vargas,
a.k.a.: Eddy Serrano-Vargas,
(A200 833 630)
Defendant

Case No. 17-445MJ

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of June 8, 2017, in the County of Maricopa, in the District of Arizona, the defendant violated Title 8, U.S.C. § 1326(a), an offense described as follows:

Eddy Alejandro Serrano-Vargas, an alien, was found in the United States of America at or near Phoenix, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near Nogales, Arizona, on or about December 24, 2014, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a).

I further state that I am a Deportation Officer.

This criminal complaint is based on these facts:

See Attached Statement of Probable Cause Incorporated By Reference Herein

CEB
REVIEWED BY: Charles E. Bailey, P.S. for AUSA Jillian M. Besancon

☒ Continued on the attached sheet.

Valery Lozano
Complainant's signature

Valery Lozano,
Deportation Officer
Printed name and title

Sworn to before me and signed in my presence.

Date: October 23, 2017

Michelle H. Burns
Judge's signature

City and state: Phoenix, Arizona

Michelle H. Burns,
United States Magistrate Judge
Printed name and title

STATEMENT OF PROBABLE CAUSE

I, Valery Lozano, being duly sworn, hereby depose and state as follows:

1. Your affiant is a Deportation Officer with United States Immigration and Customs Enforcement (ICE). I have learned from direct participation in the investigation and from the reports and communications of other agents and officers the facts recited herein.
2. On June 8, 2017, Eddy Alejandro Serrano-Vargas was arrested by the Arizona Department of Public Safety (DPS) and booked into the Maricopa County Jail (MCJ) on local charges. While incarcerated at the MCJ, Serrano-Vargas was examined by ICE Officer S. Black who determined Serrano-Vargas to be a citizen of Mexico, illegally present in the United States. On the same date, an immigration detainer was lodged with the county jail. On October 22, 2017, Serrano-Vargas was released from the MCJ and transported to the Phoenix ICE office for further investigation and processing. Serrano-Vargas was held in administrative custody until his criminal and immigration records could be obtained and his identity confirmed.
3. Immigration history checks revealed Eddy Alejandro Serrano-Vargas to be a citizen of Mexico and a previously deported criminal alien. Serrano-Vargas was removed from the United States to Mexico at or near Nogales, Arizona, on or about December

24, 2014, pursuant to the reinstatement of an order of removal issued by an immigration judge. There is no record of Serrano-Vargas in any Department of Homeland Security database to suggest that he obtained permission from the Secretary of the Department of Homeland Security to return to the United States after his removal. Serrano-Vargas' immigration history was matched to him by electronic fingerprint comparison.


4. On October 22, 2017, Eddy Alejandro Serrano-Vargas was advised of his constitutional rights. Serrano-Vargas freely and willingly acknowledged his rights and declined to make any further statements
5. For these reasons, this affiant submits that there is probable cause to believe that on or about June 8, 2017, Eddy Alejandro Serrano-Vargas, an alien, was found in the United States of America, at or near Phoenix, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States

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at or near Nogales, Arizona, on or about December 24, 2014, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a).



Valery Lozano,
Deportation Officer,
Immigration and Customs Enforcement

Sworn to and subscribed before me
this 23rd day of October, 2017.



Michelle H. Burns,
United States Magistrate Judge